

Message Text

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ORIGIN OPIC-12

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DRAFTED BY:OPIC/GC:C S COLE

APPROVED BY:EB/IFD/OIA: M KENNEDY

EB/IFD/OIA:WH COURTNEY

NEA/PAB:LLESSER

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R 271804Z MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY DACCA

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E.O. 11652: N/A

TAGS: EIND

SUBJECT: BELBAGCO COMPENSATION CLAIM

1. HUQ HAS WRITTEN TO HEARD ADVISING HIM, AFTER QUOTING
COMPENSATION LANGUAGE IN ARTICLE 9 OF THE BANGLADESH INDUSTRIAL
ENTERPRISES (NATIONALISATION) ORDER, 1972, AS FOLLOWS:

"WE WOULD INFORM THAT RECENTLY ON A WRIT PETITION FILED BY
SHAREHOLDERS OF A NATIONALISED TEXTILE INDUSTRIES THE HIGH
COURT DIVISION OF THE SUPREME COURT OF BANGLADESH ISSUED A
RULE NISI ON THE GOVERNMENT TO SHOW CAUSE AS TO WHY COMPENSATION
IN RESPECT OF THE SAID NATIONALISED INDUSTRY SHOULD
NOT BE DETERMINED AND PAID.

"IN COURSE OF HEARING THE ABOVE WRIT PETITION, THE COURT
OBSERVED (ORALLY AND NOT IN WRITING) THAT REPRESENTATIONS ON
BEHALF OF THE SAID NATIONALISED
INDUSTRY SHOULD BE MADE TO THE GOVERNMENT FOR PAYMENT OF COMP-
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ENSATION AS PROVIDED IN ARTICLE 9.

"YOU MAY , THEREFORE, CONSIDER IT ADVISABLE TO SUGGEST YOUR
CLIENT BELBAGCO INC., THE SHAREHOLDER OF PAKISTAN FABRIC CO.
LTD. (NOW BANGLADESH FABRIC CO. LTD), TO SUBMIT REPRESENTATIONS
IN WRITING TO THE GOVERNMENT OF BANGLADESH SEEKING COMPENSATION
IN ORDER TO PROTECT ITS INTEREST SO THAT IT MAY NOT BE SAID
YOUR CLIENT HAS WAIVED ITS RIGHT TO SUCH COMPENSATION."

2. OPIC WOULD GREATLY APPRECIATE EMBASSY'S MAKING INQUIRY
AND ADVISING WITH RESPECT TO THE DESIRABILITY OF PRESENTING THE
CLAIM TO THE GOVERNMENT.

DECONTROL: MARCH 26, 1975. RUSH

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